IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6606 OF 2006

Chandrakant Janardan Ranvare ..Petitioner

Vs.

The Commissioner, Pune Division and ors. ..Respondents

WITH

WRIT PETITION NO.6607 OF 2006

Dhananjay Shantaram Kamble ..Petitioner

V/s.

The Commissioner, Pune Division and ors. ..Respondents

Mr.P.G.Katane, advocate for the petitioner
Mr.Ajit Kenjale, advocate for respondent No.5
Mr.V.S.Kapse, advocate for the respondent Nos.6 to 8
Mr.S.K.Chinchalikar, advocate for, AGP for respondent Nos.1 to 3

Coram : S.J.Vazifdar, J.

Date : 9th January, 2007

P.C.

1. Impugned order warrants no interference. The challenge is to the No Confidence Motion passed by seven out of the nine members of the Grampanchayat. The only ground for challenge is that the

petitioners in both the petitions who worked as Sarpanch and Upsarpanch respectively were not served.

2. A dispute was sought to be raised on facts. It was contended that the respondents had taken contradictory stand by alleging that the Sarpanch was not in the village on 29th March, 2006 in the report before the Tahsildar and thereafter, alleging that the Upsarpanch had been served on 29th March, 2006 while he was in the company of Sarpanch.

3. The contention is unfounded. The panchanama, in fact, clarifies that on 29th March, 2006 the Upsarpanch could not be served by affixing the notice on his mother's residence as she objected to the same. The panchanama of the 30th March, 2006 states that the Upsarpanch had been served. The overwriting of the date '30' in the panchanama date 30th March, 2006 is really insignificant.

4. As far as the Sarpanch is concerned, there is little doubt that he was served. The notice was affixed on his residence.

5. Both the Courts below on these question of facts have held against the petitioners. I see no reason to interfere with the findings of fact.

6. All parties are directed to act on the copy of this order authenticated by the Sherastedar.